

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SYMBOLOGY INNOVATIONS, LLC,

Plaintiff,

v.

**AMERICAN AUTOMOBILE
ASSOCIATION, INC.; AAA TEXAS, LLC,**

Defendants.

CASE NO. 3:23-CV-02866-K

JURY TRIAL DEMANDED

**DEFENDANTS' RULE 12(b)(6) MOTION TO DISMISS
FOR FAILURE TO STATE A CLAIM**

Pursuant to Local Rule 7.1 and Federal Rule of Civil Procedure 12, Defendants American Automobile Association, Inc. and AAA Texas, LLC respectfully move this Court to dismiss Symbology Innovations, LLC's complaint for failure to state a claim upon which relief can be granted. The complaint asserts infringement of two patents, both of which are invalid for failure to claim patent-eligible subject matter under 35 U.S.C. § 101. The grounds for this motion are further set forth in Defendants' Opening Brief in Support of Their Rule 12(b)(6) Motion to Dismiss for Failure to State a Claim, which is being filed contemporaneously herewith.

Dated: January 30, 2024

Respectfully submitted,

/s/ Neil J. McNabnay

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**ATTORNEYS FOR DEFENDANTS
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INC. AND AAA TEXAS, LLC**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy has been electronically filed using the CM/ECF filing system on January 30, 2024, which automatically sends email notifications to all counsel of record and which will permit viewing and downloading of same from the CM/ECF system.

/s/ Neil J. McNabnay

Neil J. McNabnay